

REMARKS

Claims 1-4, 6-12, 14-20 and 22-26 are pending. Claims 1, 10, 18, and 26 are the only independent claims.

Claims 1-4, 6-12, 14-20 and 22-26 were rejected under 35 U.S.C. § 103 over U.S. Patent Publication No. 2003/87643 (Mazzara) in view of U.S. Patent Publication No. 2005/0048985 (Haartsen). Applicant submits that independent claims 1, 10, 18, and 26 are patentable for at least the following reasons.

Claim 1 recites, inter alia, a bandwidth change means for sequentially changing bandwidths allocated to call connected user terminals so that the used bandwidth of each of the communication carriers is in a predetermined range based on at least the carrier band information, the carrier use condition information and user use condition information indicating the current use conditions of the call connected ones of the user terminals.

Mazzara shows a wireless line sharing network. It was conceded in the Office Action that Mazzara does not teach the recited bandwidth change means. Paragraphs [0019] and [0020] of Haartsen were cited in the Office Action as allegedly providing this feature. This is incorrect.

The cited paragraphs of Haartsen relate to the base station, making use of multiple base station radios, accommodating requested bandwidth *ratios* of individual remote terminals. The system sequentially assigns, based on the remote terminal's requested bandwidth ratio, remote terminals to a particular base station radio of the base station.

This is not the same as the feature of claim 1 discussed above. In the first place, the cited portion of Haartsen relates to bandwidth *ratios*, and not bandwidths. There is no teaching of sequentially changing bandwidths at all. Second, Haartsen's system *accommodates* the bandwidth ratio requirements of the remote terminal by assigning an appropriate base station radio to the remote terminal based on the required bandwidth ratio. Whereas in the feature of claim 1 discussed above, the bandwidths allocated to call connected user terminals are sequentially changed.

From the foregoing it is clear that the cited portions of Haartsen contain no teaching or remote suggestion of sequentially changing bandwidths allocated to call connected user terminals at all, still less doing so such that the used bandwidth of each of the communication carriers is in a predetermined range based on at least the carrier band information, the carrier use condition information and user use condition information indicating the current use conditions of the call connected ones of the user terminals, as recited in claim 1.

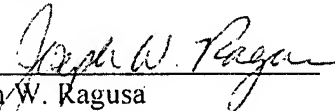
Thus, even when combined, Mazzara and Haartsen do not teach or suggest all of the features of claim 1. For at least this reason, claim 1 is believed patentable over the cited art. The other independent claims recite a substantially similar feature and are believed patentable for substantially similar reasons.

The dependent claims are believed patentable for at least the same reasons as their respective base claims.

In view of the above remarks, applicant believes the pending application is in condition for allowance.

Dated: May 8, 2009

Respectfully submitted,

By 
Joseph W. Ragusa

Registration No.: 38,586

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant